Appin No. 10/812,157
Reply to Office Action of May 12, 2005

REMARKS/ARGUMENTS

Glaims 35 to 62 are now pending in this application, claims 36 to 62 have been added. The subject matter of these claims was previously present in claims 1 to 34 of the originally filed application, and therefore no new matter has been added with this amendment.

The Examiner rejected claim 35 of the original application under the judicially created doctrine of obviousness-type double patenting over U.S. Patent No. 6,725,949. Applicant files concurrently herewith a terminal disclaimer for U.S. Patent No. 6,725,949, thereby obviating this rejection.

Based upon the above amendments and the terminal disclaimer, Applicant submits that the above referenced application is in condition for allowance. Therefore, Applicant respectfully requests the prompt issuance of a Notice of Allowance. If the Examiner wishes to discuss any of the matters outlined above, please do not hesitate to contact Applicant's attorneys at the number listed below.

Respectfully submitted,

CHRISTIE, PARKER & HALE, LLP

John W./Peck, Ph.D.

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